RESOLUTION NO. 07-16 (AMENDED)

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, APPROVING CERTAIN MATTERS IN CONNECTION WITH THE TRANSFER OF CERTAIN PROPERTY TO THE JOINT BOARD

WHEREAS, the Common Council (the "Common Council") of the City of West Lafayette, Indiana (the "City") proposes to transfer certain real property (the "Real Property") to the Interlocal Cooperation Board Of the City of West Lafayette, Indiana and the Trustees of Purdue University ("Joint Board"), which property is located in the City and described in <u>Exhibit A</u> hereto; and

WHEREAS, the Joint Board is a public body comprising of three representatives of the City and three representatives of The Trustees of Purdue University; and

WHEREAS, IC 36-1-11-8 provides that a transfer of property may be made with a governmental entity upon terms and conditions agreed upon by the entities as evidenced by adoption of substantially identical resolutions by each such entity, and for any consideration as agreed upon by the entities; and

WHEREAS, the Joint Board has adopted its resolution accepting the transfer of the Real Property from the City; and

WHEREAS, the Real Property being transferred is being used for public purposes and will further the economic development purposes of the City, including the construction of the State Street Redevelopment Project (the "Project"); and

WHEREAS, the Real Property described in Exhibit A (the "Exhibit A Property") consists of property to be transferred to the Joint Board to be leased during the Project construction by the Joint Board to the West Lafayette Community Development Corporation (the "WLCDC") pursuant to a lease between the Joint Board and the WLCDC (the "Lease"), and further subleased by the WLCDC to the West Lafayette Redevelopment Commission (the "Commission") pursuant to the sublease by and between the WLCDC and the Commission (the "Sublease"); and

WHEREAS, upon the completion of the construction of the Project, the Exhibit B Property will be released from the Lease and the Sublease and transferred back to the City; and

WHEREAS, the Real Property described in Exhibit C (the "Exhibit C Property"), consists of property to be transferred to the Joint Board to be leased by the Joint Board to the WLCDC pursuant to the Lease and further subleased by the WLCDC to the Commission pursuant to the Sublease for the entire term of the financing of the Project (the "Financing"); and

WHEREAS, pursuant to the Sublease, it is anticipated that the Commission will be the owner of the Exhibit C Property at the termination of the Financing, and the Commission will, at that time, transfer the Exhibit C Property back to the City; and

WHEREAS, the Commission has proposed that the first annual lease rental payment under the Sublease from the Commission to the WLCDC be increased from a maximum of \$19,600,000

to a maximum of \$24,600,000, with all subsequent lease rental payments not exceeding \$5,000,000 annually (the "New Maximum Annual Rental Amounts"), while keeping the aggregate lease rental payments under the Sublease the same.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of West Lafayette as follows:

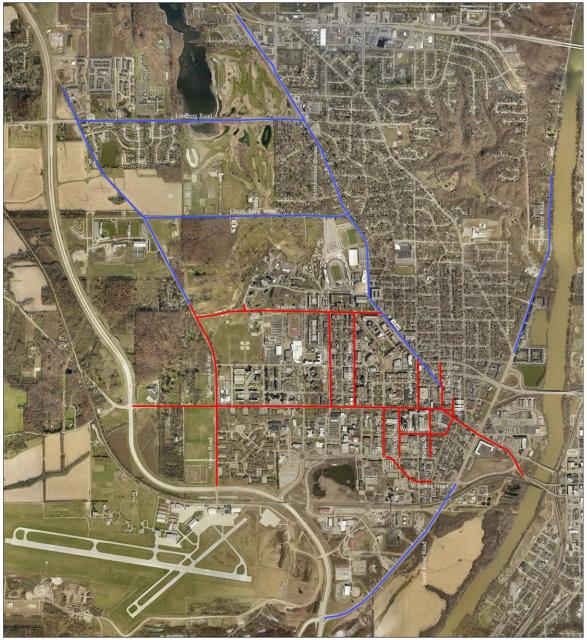
- l. The City hereby finds and determines that the transfer of the Real Property will further the economic development purposes of the City.
- 2. The Mayor is hereby authorized and directed to sign a conveyance document of the Real Property to the Joint Board for one dollar and other valuable consideration.
- 3. The City hereby approves the New Maximum Annual Rental Amounts, with all other terms under the Sublease as approved by the Commission to be unchanged.
- 4. This Resolution shall be in full force and effect from and after its adoption by the Common Council.

DULY PASSED on this 7^{th} day of March, 2016, by the Common Council of the City of West Lafayette, Indiana.

EXHIBIT A

State Street Project Component	Street Name	Street Limits	Lane Miles	Project Leng (Miles)
component	Reconstructed S		Lune miles	(ivines)
Section 1	State Street	Tapawingo Dr Airport Rd.	3.96	1.75
Section 2	State Street	Airport Rd US 231	1.44	0.36
Sections 3	Williams Street	Marsteller St Chauncey Ave.	0.60	0.30
Section 6A	Airport Road	US 231 - State St.	2.04	0.51
Section 6B	McCormick Rd.	State St. to Stadium Ave.	1.47	0.49
	Stadium Ave.			
Section 6E	Intersection	Stadium Ave. & McCormick Rd.	0.25	0.25
Section 6C	Stadium Ave.	McCormick Rd Martin Jischke Dr.	1.74	0.58
Sections 6D	Stadium Ave.	Martin Jischke Dr Northwestern Ave.	1.17	0.39
		Total	12.67	
	Resurface Str	eets		
Section 5	N. Russell Street	State St Stadium Ave.	1.50	0.50
Section 5	N. University Street	State St Stadium Ave.	1.00	0.50
Section 5	N. Grant Street	State St Northwestern Ave.	0.54	0.27
Section 5	Vine Street	State St Fowler Ave.	0.48	0.24
Section 5	Marsteller Street	Harrison St State St.	0.52	0.26
Section 5	Sheetz Street	Harrison St State St.	0.50	0.25
Section 5	Pierce Street	Harrison St State St.	0.52	0.26
Section 5	S. Chauncey Ave.	Wood St Columbia St.	0.38	0.19
Section 5	W. Wood Street	Sheetz St Chauncey Ave.	0.50	0.25
		Total	5.94	

	Street Name	Street Limits	Lane Miles	Project Length (Miles)
Replacement Streets for Reconstructed Streets				
	Northwestern Ave.	Sagamore Parkway - Fowler Ave.	8.12	2.03
	Northwestern Ave.	Fowler Ave State St.	0.56	0.28
	CherryLane	McCormick Ave Northwestern Ave.	2.10	1.05
	McCormick Rd.	Stadium Ave McCormick Pl.	2.68	1.34
	Lindburg Rd.	McCormick Ave Northwestern Ave.	2.38	1.19
		Total	15.84	
Replacement Streets for Resurface Streets				
	South River Road	US 231 - Tapawingo Dr.	3.78	0.99
	North River Road	Robinson St North City Limits	1.94	0.97
<u>'</u>		Total	5.72	
	<u> </u>		24.6	
	To	otal Lane Miles for Replacement Streets	21.6	



- Legend
 "Exhibit A Streets"
 - "Exhibit B Streets"
 - "Exhibit C Streets"

Project: Re-State Sheet 1 of 9

Parcel: 124 Fee Simple

Tax ID: 79-07-20-308-017.000-026

Jassica L. Stapleton

A part of Lot 10 in Martin's Addition to the City of West Lafayette, Indiana, the plat of which is recorded in Plat Book 2, page 30, in the Office of the Recorder of Tippecanoe County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at northwest corner of said lot; thence along the southwestern boundary of State Street (also known as Main Street) as established by Instrument Number 9702522 Southeasterly 20.00 feet along an arc to the right having a radius of 360.67 feet and subtended by a long chord having a bearing of South 61 degrees 42 minutes 39 seconds East and a length of 20.00 feet to the southeastern line of said lot; thence South 24 degrees 54 minutes 41 seconds West 26.11 feet along said southeastern line; thence North 33 degrees 29 minutes 37 seconds West 23.44 feet to point "1050" designated on said parcel plat on the northwestern line of said lot; thence North 24 degrees 54 minutes 41 seconds East 15.01 feet along said northwestern line to the point of beginning and containing, 412 square feet, more or less.

Project: Re-State Sheet 2 of 9

Parcel: 124A Fee Simple

Tax ID: 79-07-20-308-016.000-026

A part of Lot 11 in Martin's Addition to the City of West Lafayette, Indiana, the plat of which is recorded in Plat Book 2, page 30, in the Office of the Recorder of Tippecanoe County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at the intersection of the northwestern line of said lot with the southwestern boundary of State Street (also known as Main Street) as established by Instrument Number 9702522, which point of beginning is South 24 degrees 54 minutes 41 seconds West 0.86 feet from the northwest corner of said lot; thence along the boundary of said State Street Southeasterly 20.14 feet along an arc to the right having a radius of 360.67 feet and subtended by a long chord having a bearing of South 58 degrees 31 minutes 24 seconds East and a length of 20.13 feet to the southeastern line of said lot; thence South 24 degrees 54 minutes 41 seconds West 36.11 feet along said southeastern line; thence North 33 degrees 29 minutes 37 seconds West 23.48 feet to the northwestern line of said lot; thence North 24 degrees 54 minutes 41 seconds East 26.11 feet along said northwestern line to the point of beginning and containing, 624 square feet, more or less.

This description was prepared for the City of West Lafayette, Indiana by Jessica L. Stapleton, Indiana Professional Surveyor, License Number LS20600032, on the 11th day of February, 2016.

. STAD

Gessice X. Staphton

Project: Re-State Sheet 3 of 9

Parcel: 124B Fee Simple

Tax ID: 79-07-20-308-015.000-026

acours L. Stapliton

A part of Lot 12 in Martin's Addition to the City of West Lafayette, Indiana, the plat of which is recorded in Plat Book 2, page 30, in the Office of the Recorder of Tippecanoe County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at the intersection of the northwestern line of said lot with the southwestern boundary of State Street (also known as Main Street) as established by Instrument Number 9702522, which point of beginning is South 24 degrees 54 minutes 41 seconds West 2.80 feet from the northwest corner of said lot; thence along the boundary of said State Street Southeasterly 20.30 feet along an arc to the right having a radius of 360.67 feet and subtended by a long chord having a bearing of South 55 degrees 18 minutes 42 seconds East and a length of 20.30 feet to the southeastern line of said lot; thence South 24 degrees 54 minutes 41 seconds West 44.96 feet along said southeastern line; thence North 33 degrees 29 minutes 37 seconds West 23.48 feet to the northwestern line of said lot; thence North 24 degrees 54 minutes 41 seconds East 36.11 feet along said northwestern line to the point of beginning and containing, 813 square feet, more or less.

This description was prepared for the City of West Lafayette, Indiana by Jessica L. Stapleton, Indiana Professional Surveyor, License Number LS20600032, on the 11th day of February, 2016.

STAR

Project: Re-State Sheet 4 of 9

Parcel: 124C Fee Simple

Tax ID: 79-07-20-308-014.000-026

A part of Lot 13 in Martin's Addition to the City of West Lafayette, Indiana, the plat of which is recorded in Plat Book 2, page 30, in the Office of the Recorder of Tippecanoe County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at the intersection of the northwestern line of said lot with the southwestern boundary of State Street (also known as Main Street) as established by Instrument Number 9702522, which point of beginning is South 24 degrees 54 minutes 41 seconds West 5.89 feet from the northwest corner of said lot; thence along the boundary of said State Street Southeasterly 20.53 feet along an arc to the right having a radius of 360.67 feet and subtended by a long chord having a bearing of South 52 degrees 04 minutes 08 seconds East and a length of 20.53 feet to the southeastern line of said lot; thence South 24 degrees 54 minutes 41 seconds West 52.64 feet along said southeastern line; thence North 33 degrees 29 minutes 37 seconds West 23.48 feet to the northwestern line of said lot; thence North 24 degrees 54 minutes 41 seconds East 44.96 feet along said northwestern line to the point of beginning and containing, 978 square feet, more or less.





Project: Re-State Sheet 5 of 9

Parcel: 124D Fee Simple

Tax ID: 79-07-20-308-012.000-026

Ossica L. Sastitor

A part of Lot 15 in Martin's Addition to the City of West Lafayette, Indiana, the plat of which is recorded in Plat Book 2, page 30, in the Office of the Recorder of Tippecanoe County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at the intersection of the northwestern line of said lot with the southwestern boundary of State Street (also known as Main Street) as established by Instrument Number 9702522, which point of beginning is South 24 degrees 54 minutes 41 seconds West 15.65 feet from the northwest corner of said lot; thence along the boundary of said State Street Southeasterly 21.24 feet along an arc to the right having a radius of 360.67 feet and subtended by a long chord having a bearing of South 45 degrees 26 minutes 25 seconds East and a length of 21.24 feet to the southeastern line of said lot; thence South 24 degrees 54 minutes 41 seconds West 64.25 feet along said southeastern line; thence North 33 degrees 29 minutes 37 seconds West 23.48 feet to the northwestern line of said lot; thence North 24 degrees 54 minutes 41 seconds East 59.09 feet along said northwestern line to the point of beginning and containing, 1,236 square feet, more or less.

Project: Re-State Sheet 6 of 9

Parcel: 124E Fee Simple

Tax ID: 79-07-20-308-011.000-026

Ossice L. Stashton

A part of Lot 16 in Martin's Addition to the City of West Lafayette, Indiana, the plat of which is recorded in Plat Book 2, page 30, in the Office of the Recorder of Tippecanoe County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at the intersection of the northwestern line of said lot with the southwestern boundary of State Street (also known as Main Street) as established by Instrument Number 9702522, which point of beginning is South 24 degrees 54 minutes 41 seconds West 22.44 feet from the northwest corner of said lot; thence along the boundary of said State Street Southeasterly 5.38 feet along an arc to the right having a radius of 360.67 feet and subtended by a long chord having a bearing of South 43 degrees 19 minutes 32 seconds East and a length of 5.38 feet to the southeastern line of the northwestern 5 feet of said lot; thence South 24 degrees 54 minutes 41 seconds West 65.33 feet along said southeastern line; thence North 33 degrees 29 minutes 37 seconds West 5.87 feet to the northwestern line of said lot; thence North 24 degrees 54 minutes 41 seconds East 64.25 feet along said northwestern line to the point of beginning and containing, 324 square feet, more or less.

Project: Re-State Sheet 7 of 9

Parcel: 124F Fee Simple

Tax ID: 79-07-20-308-010.000-026

George L. Stapleton

A part of Lot 16 in Martin's Addition to the City of West Lafayette, Indiana, the plat of which is recorded in Plat Book 2, page 30, in the Office of the Recorder of Tippecanoe County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at the intersection of the southeastern line of said lot with the southwestern boundary of State Street (also known as Main Street) as established by Instrument Number 9702525, which point of beginning is South 24 degrees 54 minutes 41 seconds West 30.60 feet from the northeast corner of said lot; thence South 24 degrees 54 minutes 41 seconds West 67.56 feet along said southeastern line; thence Northwesterly 9.90 feet along an arc to the left having a radius of 300.67 feet and subtended by a long chord having a bearing of North 35 degrees 50 minutes 11 seconds West and a length of 9.90 feet to point "1127" designated on said parcel plat; thence North 33 degrees 29 minutes 37 seconds West 7.47 feet to the southeastern line of the northwestern 5 feet of said lot; thence North 24 degrees 54 minutes 41 seconds East 65.33 feet along said southeastern line to the southwestern boundary of said State Street; thence along the boundary of said State Street Southeasterly 16.36 feet along an arc to the right having a radius of 360.67 feet and subtended by a long chord having a bearing of South 41 degrees 35 minutes 55 seconds East and a length of 16.36 feet to the point of beginning and containing, 999 square feet, more or less.

Project: Re-State Sheet 8 of 9

Parcel: 124G Fee Simple

Tax ID: 79-07-20-308-009.000-026

Gessica L. Stapliton

A part of Lot 17 in Martin's Addition to the City of West Lafayette, Indiana, the plat of which is recorded in Plat Book 2, page 30, in the Office of the Recorder of Tippecanoe County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at the intersection of the northwestern line of said lot with the southwestern boundary of State Street (also known as Main Street) as established by Instrument Number 9702525, which point of beginning is South 24 degrees 54 minutes 41 seconds West 30.60 feet from the northwest corner of said lot; thence along the boundary of said State Street Southeasterly 22.36 feet along an arc to the right having a radius of 360.67 feet and subtended by a long chord having a bearing of South 38 degrees 31 minutes 23 seconds East and a length of 22.36 feet to the southeastern line of said lot; thence South 24 degrees 54 minutes 41 seconds West 70.28 feet along said southeastern line; thence Northwesterly 23.71 feet along an arc to the left having a radius of 300.67 feet and subtended by a long chord having a bearing of North 32 degrees 38 minutes 04 seconds West and a length of 23.70 feet to the northwestern line of said lot; thence North 24 degrees 54 minutes 41 seconds East 67.56 feet along said northwestern line to the point of beginning and containing, 1,377 square feet, more or less.

Project: Re-State Sheet 9 of 9

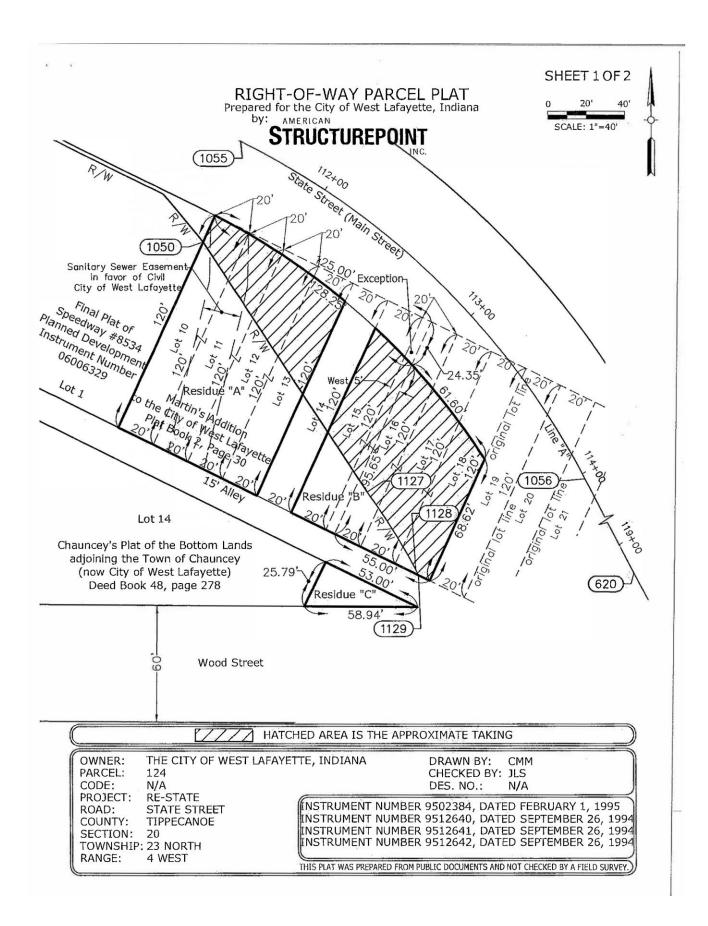
Parcel: 124H Fee Simple

Tax ID: 79-07-20-308-008.000-026

Gessica L. Stapliton

A part of Lot 18 in Martin's Addition to the City of West Lafayette, Indiana, the plat of which is recorded in Plat Book 2, page 30, in the Office of the Recorder of Tippecanoe County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at the intersection of the northwestern line of said lot with the southwestern boundary of State Street (also known as Main Street) as established by Instrument Number 9702525, which point of beginning is South 24 degrees 54 minutes 41 seconds West 40.24 feet from the northwest corner of said lot; thence along the boundary of said State Street Southeasterly 23.14 feet along an arc to the right having a radius of 360.67 feet and subtended by a long chord having a bearing of South 34 degrees 54 minutes 31 seconds East and a length of 23.14 feet to the southeastern line of said lot; thence South 24 degrees 54 minutes 41 seconds West 68.71 feet along said southeastern line to the southeast corner of said lot; thence North 64 degrees 04 minutes 07 seconds West 6.45 feet along the southwestern line of said lot to point "1129" designated on said parcel plat; thence North 27 degrees 46 minutes 57 seconds West 3.20 feet to point "1128" designated on said parcel plat; thence Northwesterly 13.61 feet along an arc to the left having a radius of 300.67 feet and subtended by a long chord having a bearing of North 29 degrees 04 minutes 44 seconds West and a length of 13.61 feet to the northwestern line of said lot; thence North 24 degrees 54 minutes 41 seconds East 70.28 feet along said northwestern line to the point of beginning and containing, 1,423 square feet, more or less.





RIGHT-OF-WAY PARCEL PLAT

Prepared for the City Of West Lafayette, Indiana by: _ AMERICAN

STRUCTUREPOINT

POINT REFERENCE CHART (Feet)

Point	North	East	Station	Offset	Œ
620	SEE LO	OCATION CO	ONTROL ROL	JTE SURVE	Y PLAT
1050	1884073.4524	3003297.6638	+PL(111+55.09)	55' Rt.	Line A
1055	1884125.1833	3003317.1363	PC(111+49.17)	0,	Line A
1056	1883951.6127	3003496,4077	PT(114+02.92)	0'	Line A
1127	1883944.8756	3003382.7462	113+40	100' Rt.	Line A
1128	1883905.0009	3003407.9355	+PT(114+02.92)	100' Rt.	Line A
1129	1883902.1668	3003409.4286	+PL(114+06.12)	100' Rt.	Line A

SURVEYOR'S STATEMENT

. . .

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Inst. No. 201515018803 in the Office of the Recorder of Tippecanoe County, Indiana, incorporated and made a part hereof by reference, comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12 ("Rule 12").

> Dessica L. Stapleton Date

Reg. Professional Surveyor No. LS20600032

State of Indiana

NOTE: STATIONS AND OFFSETS ARE TO CONTROL OVER NORTH AND EAST COORDINATES.

OWNER: THE CITY OF WEST LAFAYETTE, INDIANA PARCEL:

124

N/A

PROJECT: **RE-STATE**

ROAD: STATE STREET COUNTY: **TIPPECANOE**

SECTION: 20

CODE:

TOWNSHIP: 23 NORTH RANGE: 4 WEST

DRAWN BY: CMM CHECKED BY: JLS DES. NO .: N/A

CA L. STAP

NO SURVE

INSTRUMENT NUMBER 9512643, DATED SEPTEMBER 26, 1994 INSTRUMENT NUMBER 9701052, DATED SEPTEMBER 23, 1996
INSTRUMENT NUMBER 9702526, DATED SEPTEMBER 23, 1996
INSTRUMENT NUMBER 06027850, DATED DECEMBER 18, 2006
AMERICAN STRUCTUREPOINT, INC PROJECT NO. 2015.00319

THIS PLAT WAS PREPARED FROM PUBLIC DOCUMENTS AND NOT CHECKED BY A FIELD SURVEY.

EXHIBIT B

	Street Name	Street Limits	Lane Miles	Project Length
Replacem				
	Northwestern	Sagamore Parkway - Fowler Ave.	8.12	2.03
	Northwestern	Fowler Ave State St.	0.56	0.28
	Cherry Lane	McCormick Ave Northwestern	2.10	1.05
	McCormick Rd.	Stadium Ave McCormick Pl.	2.68	1.34
	Lindburg Rd.	McCormick Ave Northwestern	2.38	1.19
		Total	15.84	
Replace	ement Streets for l		3.78	0.00
		South River Road US 231 - Tapawingo Dr.		0.99
	North River Road	Robinson St North City Limits	1.94	0.97
		Total	5.72	
Total L	ane Miles for Rep	blacement Streets	21.6	

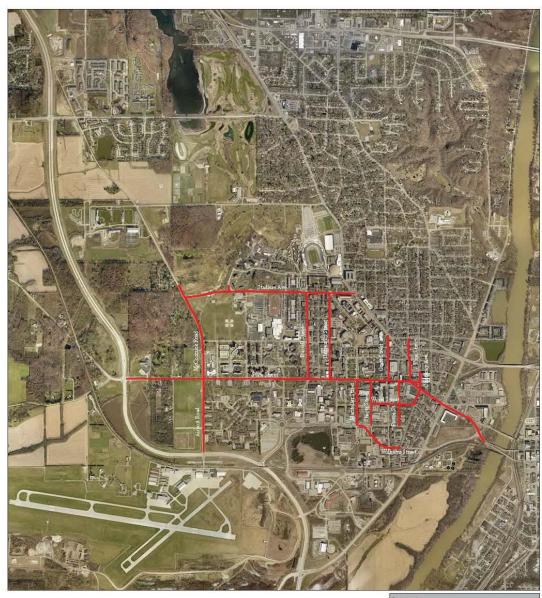


Legend

- "Exhibit B Streets"

EXHIBIT C

State Street Project				Project Length
Component	Street Name	Street Limits	Lane Miles	(Miles)
Reconstructed Streets				
Section 1	Section 1 State Street Tapawingo Dr Airport Rd.		3.96	1.75
Section 2	State Street	Airport Rd US 231	1.44	0.36
Sections 3	Williams Street	Marsteller St Chauncey Ave.	0.60	0.30
Section 6A	Airport Road	US 231 - State St.	2.04	0.51
Section 6B	McCormick Rd.	State St. to Stadium Ave.	1.47	0.49
	Stadium			
Section 6E	Ave.	Stadium Ave. & McCormick Rd.	0.25	0.25
Section 6C	Stadium Ave.	McCormick Rd Martin Jischke Dr.	1.74	0.58
Sections 6D	Stadium Ave.	Martin Jischke Dr Northwestern	1.17	0.39
		Total	12.67	
Resurface Streets				
Section 5	Section 5 N. Russell Street State St Stadium Ave.		1.50	0.50
Section 5	N. University	State St Stadium Ave.	1.00	0.50
Section 5	N. Grant Street	State St Northwestern Ave.	0.54	0.27
Section 5	Vine Street	State St Fowler Ave.	0.48	0.24
Section 5	Marsteller Street	Harrison St State St.	0.52	0.26
Section 5	Sheetz Street	Harrison St State St.	0.50	0.25
Section 5	Pierce Street	Harrison St State St.	0.52	0.26
Section 5	S. Chauncey	Wood St Columbia St.	0.38	0.19
Section 5	W. Wood Street	Sheetz St Chauncey Ave.	0.50	0.25
		Total	5.94	
	Total Lane Miles for			



Legend
- "Exhibit C Streets"